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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/593,274	09/18/2006	Waichi Yamamura	SH-0058PCTUS 8677		
21254 7590 08/03/2007 MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC 8321 OLD COURTHOUSE ROAD SUITE 200 VIENNA, VA 22182-3817			EXAMINER		
			SMITH	SMITH, CHAD	
			ART UNIT	PAPER NUMBER	
			2874		
			MAIL DATE	DELIVERY MODE	
			08/03/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary Top Period for Repty Continue Cont			Application No.	Applicant(s)			
Chad*N. Smith 2874 - The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Entercance time may be a validation where the provisions of 3 CFR 1.73(8), in ne event, however, may early be timeful filled in the specified above, the maximum statistics provide will apply and will expire 30 M (MONTHS from the mailing date of this communication. 1 th Operiod for reply is specified above, the maximum statistics provide will apply and will expire 30 M (MONTHS from the mailing date of this communication. 1 th Operiod for reply is specified above, the maximum statistics provide will apply and will expire 30 M (MONTHS from the mailing date of this communication. 1 the Operiod for reply is specified above, the maximum statistics provide will apply and will expire 30 M (MONTHS from the mailing date of this communication. 2 the operiod of the communication of this communication. 5 the specification is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4 the above claim(s) is/are allowed. 5 the claim(s) is/are allowed. 5 the drawing(s) filed on 18 September 2006 is/are: a) accepted or b) to bjected to by the Examiner. Application Papers 9 the drawing(s) filed on 18 September 2006 is/are: a) accepted or b) to bjected to by the Examiner. Application Papers 9 the drawing(s) filed on 18 September 2006 is/are: a) accepted or b) to bjected to by the Examiner. Application Papers 9 the drawing(s) filed on 18 September 2006 is/are: a) accepted or b) to bjected to by the Examiner. Application papers 9 the drawing(s) filed on 18 September 2006 is/are: a) accepted or b) to bjected to by the Examiner. Application	Office Action Summary		10/593,274	YAMAMURA, WAICHI			
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Application/Control Number: 10/593,274

Art Unit: 2874

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 -6 are rejected under 35 U.S.C. 102(b) as being anticipated by Harada et al. (Japanese PG Pub. # 2000/219530).

Regarding claims 1, 2, 3, 4, and 6 Harada et al. teaches an elongating method of an optical fiber base material, wherein in an elongating process of elongating an optical fiber base material by heating the optical fiber base material in a heating furnace wherein the optical fiber is hung in the furnace by a hanging mechanism (par. 0013) at a temperature in a range of 1,800 degrees Celsius to 1,900 degrees Celsius so that a diameter of the optical fiber base material is reduced (par. 0007), before the optical fiber base material is elongated from an end thereof, a distorted portion of the optical fiber base material is corrected by being heated to be softened in the heating furnace and then the elongating proceeds to achieve a difference between an elongation axis and one of the optical fiber base material and a dummy rod attached to the

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optical fiber base material (17) is reduced to be no more than 10mm (par. 0007) (inherently as the heat is applied with the weight secured at the bottom of the glass rod, the distorted portion which is located at the heating portion of the glass rod, as shown in fig. 1, at the tapered bottom, is pulled straight, then the elongation process starts). Furthermore, before the optical fiber base material was hung in the furnace it must have been determined to fit without contacting the furnace otherwise the fiber may not fit into the furnace hole.

Regarding claim 5, Harada et al. teaches wherein the optical fiber base material is hung in such a manner that the distorted portion is positioned lower (the distorted portion is lower that the upper surface of heating furnace (12), as lower is not given a reference point in the claim) and the elongation axis is substantially parallel to a plumb direction (as shown in fig. 1 the elongation axis is parallel to a plumb direction, as a plumb direction is the direction the weight pulls towards the earth do to gravity).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 7, 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harada et al. (Japanese PG Pub. # 2000/219530) in view of Yamamura et al. (U.S. Patent # 6,742,363 B1).

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The cited primary reference teaches the basic claimed elongating method as previously

discussed in claims 3 and 4 above.

The cited primary reference does not teach wherein the difference is detected by using a

noncontact position detecting apparatus, wherein the noncontact position detecting apparatus is

one of a laser measuring device and an image processing apparatus.

The added secondary reference teaches a laser beam diameter measuring device for

detecting the diameter of the glass material so that a uniform diameter fiber can be produced with

minimal attenuation characteristics.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Harada et al.'s elongating method with Yamamura et al.

teaching of a laser beam diameter measuring device for detecting the diameter of the glass

material so that a uniform diameter fiber can be produced with minimal attenuation

characteristics.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Chad H. Smith whose telephone number is (571) 270-1294. The

examiner can normally be reached on Monday-Thursday 7:30a.m. - 5:00p.m. EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on 571-270-2344. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Chad H. Smith/ CHS

> /Sung Pak/ Sung H. Pak Primary Examiner AU 2874